

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL ACTION NO. 1:23-CV-00020**

CLARA M. MANN,
v.
TRAILS CAROLINA, LLC,
Defendant.

Plaintiff,

**DEFENDANT'S RESPONSE TO
PLAINTIFF'S SECOND SET OF
INTERROGATORIES AND
REQUEST FOR PRODUCTION OF
DOCUMENTS**

NOW COMES the Defendant, by and through counsel, pursuant to Rules 26, 33, and 34 of the Federal Rules of Civil Procedure, and responds to Plaintiff's Second Set of Interrogatories and Request for Production of Documents to Defendant, as follows:

INTERROGATORIES

1. Please list the qualifications, credentials, accreditation, educational requirements, experience needed, and position description for the job positions of "Instructor," "Field Staff," and "Staff" in effect as of November 2019 as identified in Defendant's responses to Plaintiff first Interrogatories to Defendant.

ANSWER: The following job description is applicable to these roles:

Wilderness Field Instructor I: A Wilderness Field Instructor I works with program staff to ensure field safety and student supervision and assists in providing direct care and teaching primitive living skills to students.

Primary Responsibilities and Tasks: Assists with supervision, ensuring safety of, and monitoring whereabouts of students; May be responsible for monitoring day-to-day health and safety concerns such as physical health, hygiene and food intake; may utilize and teach programmatic curriculum; assists in facilitating valuable experiences for growth and development for students; may monitor and record student growth and development on a daily basis; assists with demonstrating and teaching primitive living skills, use of field equipment, gear and supplies necessary for successful participation in the program; may report efforts in weekly meetings with supervisors, clinicians, and academic programs; and communicates student progress with members of treatment team.

Education and Experience: Must be 21 years of age, High School Diploma or GED required. Experience in adventure/wilderness programs helpful.

Qualifications: Current and maintained First Aid and CPR required. Additional certifications such as Emergency Medical Technician-Basic, Wilderness Emergency Medical Technician or Wilderness First Responder

preferred. Must complete Crisis Prevention Institute's Nonviolent Crisis Intervention training.

As discovery is ongoing, Defendant reserves the right to supplement this response.

REQUEST FOR PRODUCTION OF DOCUMENTS

1. Copies of any and all documents and policies that describe or refer to the criteria used to determine whether a potential student qualifies for admission into the Trails Carolina program.

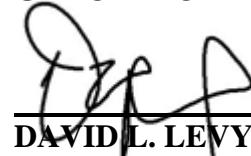
RESPONSE: Defendant is conducting a search for responsive documentation. Defendant will supplement this response should any documentation be found.

2. Copies of any and all records concerning the application and admission of Ivy Matheson into the Trails Carolina program, as well all records maintained or created by Trails Carolina for Ivy Matheson, including without limitation those concerning her alleged sexual assault on Clara Mann or any other alleged sexual interaction with any other person while in the Trails Carolina Program.

RESPONSE: Objection. Defendant objects to this Interrogatory on the basis that it seeks information regarding a minor enrollee which is prohibited from disclosure by HIPAA. Subject to and without waiving said objections, Defendant is in the process of collecting responsive documentation and will provide said documentation upon direction of the Court and entry of the appropriate Protective Order.

THIS THE 8TH FRI OF DECEMBER, 2023.

HEDRICK GARDNER KINCHELOE & GAROFALO LLP



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CERTIFICATE OF SERVICE

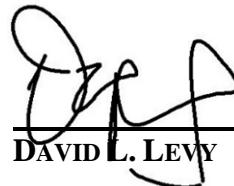
I certify that a copy of the foregoing document, *Defendant's Response to Plaintiff's Second Set of Interrogatories and Request for Production of Documents*, was served upon all counsel of Record

- as an attachment to an electronic correspondence
- by depositing a copy of the same in an official depository of the United States mail in a postage-paid envelope
- via facsimile, or
- by hand delivery

addressed as follows:

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THIS THE 8TH FRI OF DECEMBER, 2023.



DAVID L. LEVY